

USDS SDNY
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SUEK A.G.,

Plaintiff,

- against -

ATLAS BULK SHIPPING A/S,

Defendant.

08 Civ. 5508 (LAK)

VOLUNTARY DISMISSAL

WHEREAS funds have been seized pursuant to said process at Bank of America, in the approximate amount of \$939,103.25 and \$356,815.91 at the American Express Bank for a total of \$1,295,919.16 insofar as has been reported to date; and

WHEREAS Plaintiff has agreed to accept alternative security in London arbitration in substitution for any attached funds in this case and to dismiss this action without prejudice and without costs; and

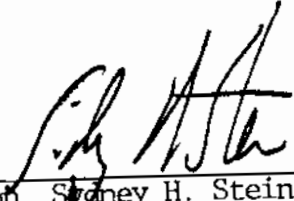
Plaintiff, SUEK A.G., hereby voluntarily dismisses this action without prejudice
and without costs and prays for the release of all attached funds.

Dated: New York, New York.
June 25, 2008

NOURSE & BOWLES, LLP
Attorneys for Plaintiff
SUEK A.G.

By: 

Armand M. Paré, Jr. (AP 8575)
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At 55 Broadway
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So Ordered: 

Hon. Sidney H. Stein, Part I

Dated: New York, NY
6/26/08